[FR] New Cable Decree

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On 24 January 1995, the French government issued a Decree fixing the rules applicable to different sound radio broadcasting and television services distributed by cable.

The new rules, based on Articles 33 and 34,1 of the 1986 Freedom of Communications Act (Loi relative à la liberté de communication) amend Decree No 92-882 of 1 September 1992.

Firstly, the Decree declares the rules on advertising and sponsoring for private sound radio broadcasting services by means of terrestrial transmitters or by satellite, will now also apply to sound radio broadcasting services which are distributed by cable.

Secondly, teleshopping activities are defined and restricted from the point of view of consumer protection and the protection of minors. Television broadcasting services which do not fall under the definition of a teleshopping service, can offer a teleshopping service for a maximum of one hour per day. Thirdly, the Decree stipulates that broadcasting services intended only for the national territory and which can neither directly nor indirectly be received in one or more other Member States of the European Union, may broadcast a daily average of 12 minutes of advertising per hour of broadcasting but not more than 15 minutes for each hour.

Fourthly, television services distributed by cable are to repect the strict quota rules concerning the broadcasting and advertising of cinematographic works whilst at the same time respecting the hours during which the broadcasting of cinematographic works is prohibited. The Decree also stipulates which percentage of the turnover of the television services distributed by cable is to be used for the acquisition of broadcasting rights of cinematographic works.

Furthermore, certain transnational broadcasting services are excluded from the obligation under French broadcasting law to reserve at least 40% of the annual amount of broadcasting time devoted to the broadcasting of audio-visual works, for audio-visual works of French origin (d'expression originale française).

Finally, certain rules of French broadcasting law are declared applicable to broadcasters from other countries distributed on French cable networks. Which rules apply to which broadcasters from which countries, depends on whether or not the country concerned is a Member State of the European Union, a Party to

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the European Economic Area Agreement, a Party to the European Convention on Transfrontier Television or a country to which none of these European organisations or treaties relate.

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